

STEPHAN, KVANVIG, STONE & TRAINOR
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15846/OBJ/lj
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UNITED STATES COURTS
DISTRICT OF IDAHO

NOV 26 1997

LOGGED M. REC'D
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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF IDAHO

In Re:)	Case No. 97-02722
)	
RAYMOND T. WARE)	OBJECTION TO CONFIRMATION OF
RENDA E. WARE)	CHAPTER 13 PLAN
)	
Debtors.)	

COMES NOW, FIRST SECURITY BANK OF IDAHO, N.A., holding a secured claim against the above-named Debtors, and objects to the entry of an order of confirmation of the plan on the following grounds:

1. The Debtors' plan as proposed does not comply with the provisions of 11 U.S.C. § 1325 in that:

(a) The Debtors' plan does not provide that value as of the effective date of the plan of the property to be distributed under the plan on account of the unsecured portion of First Security Bank's claim as much as the amount that would be paid on such claim if the estate of the Debtors were liquidated

under Chapter 7 of this title on such date.

(b) The plan does not provide that with regard to the secured portion of First Security Bank's claim, that the value, as of the effective date of the plan of the property to be distributed under the plan on account of such claim is not less than the allowed amount of that claim. The plan does not provide that First Security Bank retain its liens securing its claims.

(c) The plan does not propose that the Debtors pay First Security Bank the rate of interest agreed to on First Security Bank's documents.

(d) The Debtors have not shown that they will be able to make all payments under the plan.

WHEREFORE, this Creditor prays that confirmation of the plan be denied and that the case be dismissed.

DATED this 25th day of November, 1997.

STEPHAN, KVANVIG, STONE & TRAINOR

By 

Kevin F. Trainor

CERTIFICATE OF MAILING

I hereby certify that on the 25th day of November, 1997, I caused a true and correct copy of the foregoing instrument, to be mailed, postage prepaid, to the following:

Brent T. Robinson
Ling, Nielsen & Robinson
P. O. Box 396
Rupert, ID 83350

United States Trustee
District of Idaho
P. O. Box 110
Boise, Idaho 83701

L.D. Fitzgerald
Chapter 13 Trustee
P. O. Box 4886
Pocatello ID 83205

Raymond T. Ware
Renda E. Ware
730 Sunrise N.
Twin Falls, Idaho 83301



Kevin F. Trainor